

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 17-00180-01-CR-W-GAF
	)	
MARCUS L. WILKINS,	)	
	)	
Defendant.	)	

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

**PENDING CHARGE:** On June 1, 2017, the Grand Jury returned a twenty-one count indictment against Defendant Marcus L. Wilkins. Counts One, Two, Four, Five, Eight, Nine, Eleven through Fifteen, Seventeen and Eighteen charge Defendant Wilkins with distribution of marijuana. Count Three charges Defendant Wilkins with possession of a firearm in furtherance of a drug trafficking crime. Counts Six and Nineteen charge Defendant Wilkins with possession with intent to distribute marijuana. Counts Seven and Twenty-One charge Defendant Wilkins with being a drug user in possession of a firearm. Counts Ten and Sixteen charge Defendant Wilkins with distribution of a controlled substance (phencyclidine (PCP)). Count Twenty charges Defendant Wilkins with possession of a controlled substance (oxycodone) with intent to distribute.

The following matters were discussed and action taken during the pretrial conference:

**TRIAL COUNSEL:**

Government: Adam Caine  
Case Agent: Either Detective Frank Rorabaugh or Detective Dan Kirby  
Defense: Carrie Allen

**OUTSTANDING MOTIONS:** No outstanding motions.

**TRIAL WITNESSES:**

Government: 11-12 with stipulations; 15 without stipulations  
Defendants: 1-3 witnesses, including the Defendant

**TRIAL EXHIBITS**

Government: approximately 75 exhibits  
Defendant: approximately 5 exhibits for Defendant

**DEFENSES:** General denial

**POSSIBLE DISPOSITION:**

( ) Definitely for trial; (X) Possibly for trial; ( ) Likely a plea will be worked out

**TRIAL TIME: 2 to 3 days total**

Government's case including jury selection: 2-3 days

Defense case: 1/2 day

**STIPULATIONS:** Potential stipulations regarding chemistry and chain of custody.

**UNUSUAL QUESTIONS OF LAW:** no

**FILING DEADLINES:**

**Witness and Exhibit List**

Government: **Due on or before October 16, 2018.**

Defense: **Due on or before October 16, 2018.**

**Counsel are requested to list witnesses in alphabetical order on their witness list.**

**Exhibit Index, Voir Dire, Jury Instructions: Due by noon, Wednesday, October 24, 2018.**

**Please Note:** Jury instructions must comply with Local Rule 51.1

**Motion in Limine:** Motions in limine due on or before October 24, 2018.

**TRIAL SETTING:** Criminal jury trial docket commencing October 29, 2018.

**Please note:** Plea negotiations complete, waiting for defendant's decision. Can do either week but if there is no stipulation as to chemistry, then the Government would prefer the first week (chemist has a conflict on the second week).

**IT IS SO ORDERED.**

*/s/ Lajuana M. Counts*

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Lajuana M. Counts

United States Magistrate Judge